

E-Cigarettes, Vapor Pens and Tobacco-Free Schools

In order to promote the general health, welfare and well-being of students and staff, any vaping, e-cigarette use, smoking, chewing or any other use of any tobacco products by staff, students and members of the public is banned from all school property.

For purposes of this policy, the following definitions apply:

1. "School property" means all property owned, leased, rented or otherwise used by a school including but not limited to the following:
 - a. all indoor facilities and interior portions of any building or other structures used for students or children under the age of 21 for instruction, educational or library services, routine health care, daycare, or early childhood development services, as well as for administration, support services, maintenance, and storage. The term does not apply to buildings used primarily as residences, i.e., teacherages;
 - b. all school grounds over which the school exercises control including areas surrounding any building, playgrounds, athletic fields, recreation areas and parking areas;
 - c. all vehicles owned by the district for transporting students, staff, visitors or other persons.
 - d. At a school sanctioned activity or event.
2. "E-Cigarettes, Vapor Pens and Tobacco product" means:

any product that contains nicotine or tobacco or is derived from tobacco and is intended to be ingested or inhaled by or applied to the skin of an individual, including but not limited to cigarettes, cigars, pipe tobacco, snuff ~~and~~ chewing tobacco, or liquid nicotine/e-liquids; and

any electronic device that can be used to deliver nicotine to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo, pipe, vapor pens or jewels.

"Tobacco product" does not include any product that has been approved by the appropriate federal agency as a tobacco use cessation product.

3. "Use" means lighting, chewing, inhaling, ingesting, smoking, or vaping and tobacco product or vaping materials.

File: ADC

Signs will be posted in prominent places on all school properties to notify the public that smoking or other use of e-cigarettes, vapor pens or tobacco products is prohibited in accordance with state law and district policy. This policy will be published in all employee and student handbooks, posted on bulletin boards and announced in staff meetings.

Any member of the general public considered by the superintendent or designee to be in violation of this policy will be instructed to leave school district property. Employees found to be in violation of this policy will be subject to appropriate disciplinary action.

Disciplinary measures for students who violate this policy will include suspension, revocation of privileges and exclusion from extracurricular activities. Repeated violations may result in suspension for a willful disobedience action from school. In accordance with state law, no student will be expelled solely for tobacco use or vaping, but may face expulsion procedures for willful disobedience or habitual disruption actions.

LEGAL REFS.: 20 U.S.C. 7971 et seq. (Federal law prohibits smoking in any indoor facility used to provide educational services to children.)

C.R.S. 18-13-121 (*furnishing tobacco products to ~~minors~~ persons under 21 years old*)

C.R.S. 22-32-109 (1) (bb) (*policy required prohibiting use of tobacco products on school grounds*)

C.R.S. 22-32-109.1 (2)(a)(I)(H) (policy required as part of safe schools plan.

C.R.S. 25-14-103.5 (*tobacco use prohibited on school property*)

File: ADC

C.R.S. 25-14-301 (*Teen tobacco use prevention act*)

CROSS REFS.: IHAMA, Teaching about Drugs, Alcohol and Tobacco
KFA, Public Conduct on School Property

Adopted: October 2, 1990
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NONDISCRIMINATION STATEMENT

Pueblo County School District 70 does not unlawfully discriminate on the basis of race, creed, color, sex, sexual orientation, gender identity/expression, marital status, religion, national origin, age, disability, need for special education services, genetic information, pregnancy or childbirth status, or other status protected by law in admission or access to, or treatment, or employment in its education programs or activities. Additionally, a lack of English language skills is not a barrier to admission or participation in activities.

Inquiries about ADA, Section 504, Title VI, and Title IX may be addressed to the Superintendent of Schools, 24951 US Highway 50 East, Pueblo, Colorado 81006 719-295-6548 or nondiscrimination@district70.org

Pueblo County School District 70, Pueblo Colorado